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European trade shook the foundations of the caste system in other ways. Ports grew larger, and within them European merchants employed Christian converts, artisans, and runaway serfs. Near the ports, serfs sometimes became slaves, being torn from their ancestral lands and sold or hired for cash.

Nevertheless, until the introduction of steam power in the second half of the nineteenth century, the technology and over-all economy of Kerala did not change very radically. Trade was still limited to surplus crops, luxury goods, and metals. Inland villages remained largely self-sufficient, with the lower castes excluded from cash transactions. Upward mobility was virtually confined to Muslims, Christians, and the Hindu aristocrats above the rank of Nayar retainers. It seems to have been this lack of basic change in the technology which allowed the persistence of a strict, hereditary rank order in villages and, within each homogeneous local caste group, of kinship as the main organizing principle.

War and Law

The traditional period was one of perpetual wars between adjacent kingdoms, interrupted only in the rainy seasons. A royal lineage's strength lay in its monopoly of gunpowder, coinage, and customs dues, its ability to use foreign and Muslim ships for naval warfare, and its control of the royal domains both as a source of produce and of Nayar retainers as soldiers. Through its superior wealth and military power a royal lineage could force feudatory princes and vassal nobles to muster soldiers throughout the kingdom in periods of large-scale war. Each district and each village was classified according to the number of Nayar soldiers it could customarily muster for war. In the Zamorin's kingdom the strength of royal feudatories varied between 18,000 and 1,000 Nayars; of Nayar chiefs, between 5,000 and 100; of village headmen, between about 100 and 25 (Ayyar, 1938: 278). Records of the muster of each feudatory were kept by the Nayar clerks of the palace. The primary duty of each chief was to assemble regularly the soldiers of his district for military exercises at the capital, and in time of war to lead them to battle, with the king himself at their head. Within the district military training was organized on a village basis. This might be done by a Nayar village headman, by the chief himself, or, in Brahman villages, by a Nayar military leader (Asan) who acted for the chief or the king. All Nayar boys of the retainer, village headmen, and chiefly and royal

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castes seem to have received a military training, although some, especially of the Agattu Charna caste, later became clerks (Dames, 1921: 18–19; A. Gray, 1887, I: 412–413).

The Nayars' traditional arms were the sword, shield, lance, and the bow and arrow, although gunpowder came into increasing use after the Portuguese arrived. Before 1500 battles were highly stylized (cf. C. A. Menon, 1911: 56; Ayyar, 1938: 118, 171). Not more than 10,000 were commonly brought into the field at one time. Severe loss of life was prevented by the employment of Brahman emissaries who, if fighting became intense, might enter the field and arbitrate between the leaders. If, however, the king or a chief were slain, his personal vassals had to fight to the death or until their honor was avenged by the slaughter of a corresponding leader on the enemy side (Logan, 1951, I: 138).

Later, with the introduction of cannon and fortresses by the Europeans, battles became more frequent and devastating. The Zamorin mustered a total force of between 50,000 and 60,000 at various times in the sixteenth and seventeenth centuries against the ruler of Cochin (Ayyar, 1938: 169, 182). The kings had to rely increasingly on paying their soldiers in cash rather than on sporadic feudal levies. Permanent conquest and the control of rich lands also became a more urgent aim of the kings as the overseas trade expanded. But the Nayar techniques of fighting and their code of honor persisted until British times.

Within each kingdom, law was administered at several levels. Each local caste group had its own periodic assembly of household heads to judge crimes (which were also sins) against the caste's religious laws. These included wrongful interdining and sexual relations with members of other castes. The chief punishments were fines for the upkeep of the caste shrine and temporary ostracism. Grave offenders were excommunicated with the consent of the chief. They then became the property of either king or chief and were sold as slaves to foreign traders. In the larger castes such as Tiyyars or Pulayas the local caste group was often contained within the village. The smaller castes of village servants each had their own assemblies extending over a group of adjacent villages.

Among retainer Nayars the local caste group might comprise the Nayars of one caste within one village, within a section of a large village, or within a group of two to four adjacent small villages. This area was called a *tara* in the Calicut kingdom and a *kara* in Cochin; we shall call it a neighborhood. Its assembly was called a *tara-küttam*

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or *kara-yōgam* (Logan, 1951, I: 87–88, 132–133). The functions of intra-caste administration of the Nayar assembly are discussed later in connection with the lineage.

The village headman, assisted by representatives from the Nayar retainers, judged small civil cases concerning debt, petty theft, or trespass. He appropriated the fines in these cases (Munro, quoted in Ayyar, 1938: 288). Individual Nayars also arbitrated in small civil disputes carried voluntarily to them by disputants within their own or the lower castes. Serfs came directly under the jurisdiction of their Nayar or Brahman masters, who had the power of life and death over them.

In the castes above the serfs, larger civil disputes and grave crimes were judged in the court of either chief or king. Chiefs' (*nāduvaris'*) judicial powers varied with the size of their armies, but feudatory princes (*svarūpis*) retained complete judicial rights with power over life and death (Ayyar, 1938: 272). So also did the Brahman managers of temple estates, although they called upon some local chief to carry out their judgments. Murder, sacrilege, treason, the wounding of a cow or of a Brahman, indecent assault of a woman, and grave theft from a man of "good" caste were generally punishable by death (*ibid.*: 282). Brahmans and women, however, were never officially executed by order of the king. All offenses among Brahmans were tried by an assembly of the Brahman neighborhood, which, with the local ruler's approval, might excommunicate the offender. If a woman of any caste above serfs was convicted of a capital offense the king had the right to sell her into slavery.

The higher the cast, the wider the field of social relations. Among the serfs and the higher polluting castes this was confined to a group of adjacent villages. Among temple servants, village headmen, and retainer Nayars (apart from their excursions in war) the field of social relations was the chiefdom. Among chiefs and royalty it was the kingdom, and among Brahmans, Kerala.

Hypergamy in the Upper Castes

Each of the castes below Nayar temple menials was endogamous, as is usual in the caste system throughout India. But among the higher "clean" castes the integration of political offices and of the larger territorial units was strengthened by hypergamous marriages. By hypergamy I mean the marriage of a woman of lower caste to a man of higher caste.

In discussing hypergamy it is necessary to explain the descent

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with high and noble peaks. These shut the Nāyar country entirely out of the rest of India and have helped to a very great extent to preserve the peculiar customs of marriage and relationships of Malabar. The monsoon which these Ghats receive makes Malabar the most picturesque part of India, an ever green country with lofty trees, luxuriant vegetation, noble rivers and magnificent lakes. There is nowhere a place which so much approximates to the description of

> "Larger constellations burning, mellow moons and happy skies,
> Breaths of tropic shade and cluster knots of paradise;
> Droops the heavy blossomed bower, hangs the heavy fruited tree,
> Summer isles of Eden lying in the purple sphere of sea."

The extreme fertility of the valley and the rich tropical luxuriance of the forest have made life extremely easy, which even the importation of machines, mills, and factories has not been able entirely to change. Malabar is to a great extent, therefore, a land of idleness, and I may say of intellectual culture, for nowhere is learning, art, and poetry so much esteemed as among the Nampudiris and Nāyars of Malabar.

There are various reasons to believe that the Nāyars were very early comers in this place.[1] That they were not the aboriginal inhabitants of the place is evident from the fact that all over Malabar, from Mangalore to Cape Camorin, Nāyar families possess agricultural serfs who are distinctly of the negroid type. The Nāyars are a Dravidian race whose culture has only been superficially influenced by the Aryan immigration; of this more later.

The other communities of Malabar among whom the Nāyars live, are the Nampudiris, the Tiyas and the Pulayas. The Nampudiris are Brahmin landlords whose intercourse with and influence on the Nāyars we shall have to consider in detail later. A few families of Kshatriyas form the petty royalty of Malabar. The Tiyas are toddy drawers, people who are free men in theory but still show traces of serfdom in their relation with Nāyars, living as their tenants and doing their work for them. And the Pulayas, who till lately were slaves on whom was built up the agricultural life of the country. There are innumerable minor tribes, but they are small communities differentiated on the basis of their profession, like the Kanyans (astrologers), Asaris (carpenters), etc.

In this order Nāyars come next to the Brahmins and Kshatriyas and have precedence over all other castes. They are considered generally as a Dravidian variety of the Aryan Kshatriyas, which is, however, absolutely spurious in theory and is true only in so far as their *de facto* position is concerned. Any way, they form the feudal aristocracy of Malabar. Burke on a famous occasion classed them with

[1] See note at the end of the essay, on "The Origin of the Word Nāyars," Appendix. Note 1.

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and one with less than that number was called a *Désavázhi*. There were in those days no taxes levied from the people, and the chief from the Rajas down to the *Désavázhi* possessed demesne lands for their support which were cultivated either by themselves or leased to *kudiyáns* or tenants; but the following were the chief sources of income, based upon feudal rights and privileges. The rulers levied custom duties upon exports and imports, taxes upon houses of fishermen, tradesmen and professional men. Criminal fines went to fill their coffers, and succession duties were levied upon the estates of deceased persons, especially those who held offices of State or rights over land. Outcast women were made a two-fold source of profit. Lewd adulterous women were made over to the chiefs with a premium for the trouble of looking after them, and the chiefs used in turn to sell the women to foreign merchants as slaves or wives to *Chettis*. The estates of persons who died without heirs were escheated, nor could an heir be adopted without the Raja's consent, for which a fee was generally levied. Protection fees from strangers and merchants were levied under various names and customary presents were the ruler's dues on occasions of feast or funeral. Wrecks were his perquisites, and various animals his monopoly. Concerning the former, Marco Polo wrote about the kingdom of Eli, "And you must know that if any ship enters the estuary and anchors when she has been bound for some other port, they seize her and plunder the cargo. They say that you are bound somewhere else, and it is God that sent you hither to us, so we have a right to all your goods, and think it no sin to act thus. This naughty custom prevails all over the Provinces of India, to wit, that if a ship be driven by a stress of weather into some other port than that to which it is bound, it is sure to be plundered. But if a ship came bound originally to the place, they received it with all honour and gave it protection."[1] The custom of the taking of ships and cargoes lasted down to recent times, until the English factory at Tellicherry entered into agreements with three of the country-powers for the exemption of English vessels from such seizures.

Among the animals that became the property of the Raja were cows with three or five dugs, cattle that has killed a man or other animals, cattle with a white spot near the corner of

1. Yulles Marco Polo, page 374.

13:Thurston & Rangachari E-4, 5 (no date)
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to murder him, which is looked upon as a very innocent action, and for which no complaint is ever made. It is true that the pariahs have one day in the year when all the Nairs they can touch become their slaves, but the Nairs take such precautions to keep out of the way at the time, that an accident of that kind seldom happens." It is further recorded by Buchanan * that "the whole of these Nairs formed the militia of Malayala, directed by the Namburis and governed by the Rajahs. Their chief delight is in arms, but they are more inclined to use them for assassination or surprise, than in the open field. Their submission to their superiors was great, but they exacted deference from those under them with a cruelty and arrogance, rarely practised but among Hindus in their state of independence. A Nair was expected to instantly cut down a Tiar or Mucuai, who presumed to defile him by touching his person; and a similar fate awaited a slave, who did not turn out of the road as a Nair passed."

Nāyar is commonly said to be derived from the Sanskrit Nāyaka, a leader, and to be cognate with Naik, and Nayudu or Naidu. In this connection, Mr. L. Moore writes † that "if a reference is made to the Anglo-Indian Glossary (Hobson-Jobson) by Yule and Burnell, it will be found that the term Naik or Nayakan, and the word Nayar are derived from the same Sanskrit original, and there is a considerable amount of evidence to show that the Nayars of Malabar are closely connected by origin with the Nayakans of Vijayanagar.‡ Xavier, writing in 1542 to 1544, makes frequent references to men whom he calls Badages, who are said to have been

* Journey through Mysore, Canara, and Malabar, 1807.

† Malabar Law and Custom, 3rd ed., 1905.

‡ *Vide* R. Sewell. A Forgotten Empire (Vijayanagar), 1900.